

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

-----  
-----  
IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

GREGORY A. LINTON, R.Ph.  
  
RESPONDENT.

**FINAL DECISION AND ORDER**

99 PHM 18  
  
LS9906162PHM

-----  
-----  
The parties to this action for the purposes of §227.53, Wis. Stats., are:

*Mr. Gregory A. Linton, R.Ph.*  
*2852 20 ½ St.*  
*Rice Lake, WI 54868*

*Wisconsin Pharmacy Examining Board*  
*P.O. Box 8935*  
*Madison, WI 53708-8935*

*Department of Regulation and Licensing*  
*Division of Enforcement*  
*P.O. Box 8935*  
*Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. Respondent Gregory A. Linton, R.Ph. (dob 10/16/1965) is and was at all times relevant to the facts set forth herein a registered pharmacist licensed in the State of Wisconsin pursuant to license #12301, originally granted on 6/23/1995.
2. On 2/8/1999, an individual called the pharmacy where respondent is employed and spoke to respondent. The individual identified himself by name, and asked what information the pharmacy required to accept payment from the Wisconsin HIV/AIDS Drug Reimbursement Program (ADRP). The respondent told the caller that the pharmacy did not want to be part of the program. The respondent said that "the only time we worked with ADRP was when we sold medications to [another patient's name] and he" caused the pharmacy to lose \$2,000.
3. Only persons who are HIV positive are eligible for this program. Disclosing that the named patient was enrolled in the Wisconsin HIV/AIDS Drug Reimbursement Program disclosed that patient's HIV status, that the patient was receiving medications to treat his condition, and that the patient was receiving public assistance to help pay for his medications.
4. The patient did not give consent to the respondent for disclosure of the patient's medical condition or public assistance status to the caller.

## CONCLUSIONS OF LAW

A. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to §450.10, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

B. The conduct described in paragraph 2, above, violated § Phar 10.03(6) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Gregory A. Linton, R.Ph., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall FORFEIT \$500, to be paid within 60 days, for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$450, within 30 days of this order.

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and ch. RL 6, Wis. Adm. Code, if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license of respondent be summarily suspended pending investigation of the alleged violation.

Dated this June 16, 1999.

WISCONSIN PHARMACY EXAMINING BOARD, by:

s/ Daniel F. Luce

a member of the board